

1 STEWART STONE – BAR NO. 64879  
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The Parkinson's Institute

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8 IN THE UNITED STATES DISTRICT COURT

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10 NORTHERN DISTRICT OF CALIFORNIA- SAN JOSE DIVISION

11 In Re: WELDING ROD PRODUCTS  
LIABILITY LITIGATION

12 Case No.: Misc  
MDL Docket No.: 1535 (N.D. Ohio,  
Eastern Division)

13 Non-Party Movant:  
14 The Parkinson's Institute

15 NON-PARTY THE PARKINSON'S  
INSTITUTE'S NOTICE OF MOTION AND  
MOTION TO QUASH SUBPOENAS

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Hearing Date:  
Dept.:  
Judge:

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18 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

19 PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil  
20 Procedure, on \_\_\_\_\_, 2005, or as soon thereafter as the matter may be  
21 heard before the Honorable \_\_\_\_\_ in Courtroom \_\_\_ on the \_\_\_ Floor of the  
22 United States District Court, 280 South First Street, San Jose, California, Non-Party The  
23 Parkinson's Institute ("The Institute") will move and hereby does move the Court for an  
24 order quashing the September 2005 subpoenas issued by plaintiffs' counsel.

25 The Institute seeks the Court's order quashing the subpoenas because The Institute  
26 is a Non-Party to this action, has not been retained as an expert by any party to this action,  
27 plaintiffs' subpoenas are duplicative, overbroad, overreaching, and it would be unduly  
28 burdensome to require compliance with plaintiffs' subpoenas under these circumstances.

1 The Institute's motion is based on this notice, the accompanying declarations of  
2 Stewart Stone, Jr. and Dr. J. William Langston, the memorandum of points and authorities  
3 filed herewith, and such other matters as may be presented to the court at the hearing of  
4 this motion.

5 | DATED: October 20, 2005

**HOGE, FENTON, JONES & APPEL, INC.**

By ~~Stewart Stone, Jr.~~  
Stewart Stone, Jr.  
Attorneys for Non-Party Movant  
The Parkinson's Institute